

West Virginia Board of Medicine Quarterly Newsletter

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NOTICE TO PODIATRISTS: END-OF-LIFE CARE INCLUDING PAIN MANAGEMENT

Podiatrists will be renewing licenses in 2003. At the time of renewal, as a result of a law enacted in 2001, you must certify that during the preceding two (2) year period you have completed two (2) hours of continuing education coursework in "end-of-life care including pain management". The two (2) hours are not in addition to the required fifty (50) hours every two (2) years, but are part of the total fifty (50) hours required for podiatrists each reporting period.

To avoid problems if you should be randomly audited regarding the continuing education coursework which you certify you have received, in determining whether the two (2) hours of coursework qualifies as "end-of -life care including pain management", look to whether the course specifically covers both end-of-life care and pain management. If the course does not include both, then it is not obvious that the course qualifies as meeting the requirement.

Remember as well that the "end-of-life care including pain management" continuing education must qualify as continuing education satisfactory to the Board, under Board rule 11 CSR 6. For podiatrists, the rule specifies:

2.4. In order to acquire continuing podiatric education satisfactory to the Board a podiatrist may:

2.4.1. Take continuing podiatric education approved by the council on podiatric medical education, or

2.4.2. Take continuing podiatric education given under the auspices of the podiatry colleges in the United States, or

2.4.3. Take continuing medical education designated as Category I by the American Medical Association or the Academy of Family Physicians.

2.4.4. Take continuing podiatric education given under the auspices of the West Virginia Podiatric Medical Association.

2.4.5. Teach podiatric education courses or lectures in podiatry taught to podiatric students, residents, or licensed podiatrists, or serve as a preceptor to podiatric students or residents: Provided, that a podiatrist may not count more than twenty (20) hours in this category toward the required fifty (50) hours of podiatric education.

There are no other types or categories of continuing podiatric education satisfactory to the Board.

BOARD MEMBER PROFILE

John A. Wade, Jr., M.D.

Governor Wise appointed Dr. Wade to the Board of Medicine in April, 2001. Dr. Wade is a member of the Licensure Committee. Dr. Wade obtained his undergraduate and medical degrees from West Virginia University and was a Resident at the Charleston Area Medical Center in Charleston in General Surgery for two years and then a Resident for three years in Otolaryngology, Head and Neck Surgery in Morgantown at West Virginia University.

He began his own practice in Point Pleasant in 1978, where he is an Active member of the Medical Staff at Pleasant Valley Hospital. Dr. Wade was elected Vice Chief of Staff and Chief of Staff there as well. Over the years, he has served on numerous committees at Pleasant Valley Hospital and has been Secretary/Treasurer of Pleasant Valley Hospital for the last four years. Dr. Wade is a member of the Mason County Medical Society, and was elected its President. He was elected President of Pleasant Valley Health Partners PHO for five years. In addition to his Point Pleasant practice, Dr. Wade practices medicine in Jackson County, where he is an Active member of the Medical Staff at Jackson General Hospital in Ripley. He served as Jackson General Hospital's Secretary/Treasurer from 1991 through 2000.

Dr. Wade is an Associate Clinical Professor at West Virginia University, and is a member of the West Virginia State Medical Association. He has been a member of the West Virginia Advisory Board for the medical malpractice insurer Medical Assurance from 1996 to the present.

A member of the American Medical Association, Dr. Wade is also a member of the American Board of Otolaryngology and is a Fellow of the American Academy of Otolaryngologic Allergy. He has been an Oral Examiner for the American Academy of Otolaryngologic Allergy Fellowship for the September examinations for the past six years, and was a Proctor for the examination in September, 2001.

Dr. Wade enjoys skiing in his spare time. He is married to Sarah C. Wade, who is the Treasurer for the West Virginia State Medical Association Alliance. His daughter Emily is a Doctor of Pharmacy and his son Alex is a second year medical student at West Virginia University.

BOARD ACTIONS OCTOBER 2001 – DECEMBER 2001

ACOSTA, ARMANDO M., M.D. - Williamson, WV (11/05/01)

WV License No. 13673

Board Finding: Failure to comply with terms and conditions of his December 11, 1997, Consent Order.

Board Action: The Stay of Suspension of Dr. Acosta's medical license was Dissolved and Terminated, and effective November 6, 2001, Dr. Acosta's license stands SUSPENDED.

CLARK, FREEMAN LOWELL, M.D. - Bland, VA (11/05/01)

WV License No. 17972

Board Finding: Dr. Clark has been found guilty by a jury in a court of competent jurisdiction of felonies involving unlawfully distributing and dispensing controlled substances under State or Federal law for other than generally accepted therapeutic purposes.

Board Action: Under the provisions of West Virginia Code §30-3-14(d), the license to practice medicine and surgery of Dr. Clark was REVOKED effective November 10, 2001.

CURTIN, WILLIAM JAMES, M.D. - Williamson, WV (12/20/01)

WV License No. 18918

Board Finding: Relating to unethical or unprofessional conduct.

Board Action: By CONSENT ORDER entered May 21, 2001, Dr. Curtin was to successfully complete and document completion of one (1) course in medical ethics and one (1) course in medical recordkeeping. By AMENDED CONSENT ORDER dated December 20, 2001, Dr. Curtin was granted an extension of time for completion of the terms placed upon his medical license.

DEW, JOHN LEWIS, D.P.M. – South Euclid, OH (12/27/01)

Board Finding: Unqualified to practice podiatry in the State of West Virginia.

Board Action: License denied and confirmed effective November 21, 2001, by Order dated December 27, 2001.

GOLDWEBER, BRIAN ARNOLD, M.D. - Pittsford, NY (10/02/01)

WV License No. 20664

Board Finding: Relating to having been subjected to disciplinary action by the licensing authority of another state.

Board Action: Dr. Goldweber, having met the requirements for licensure in the State of West Virginia, was licensed to practice medicine in the State of West Virginia effective October 5, 2001, subject to limitations.

GREGORY, CRYSTAL, P.A.-C. – Belington, WV (12/10/01)

WV License No. 550

Board Finding: Prescribing for a two (2) year period without any legal authority to do so.

Board Action: PUBLICLY REPRIMANDED for prescribing for a two (2) year period without any legal authority to do so.

HIRSCH, HARRY ANTHONY, M.D. – Maybeury, WV (11/09/01)

WV License No. 16501

Board Finding: Failed to keep written records justifying the course of treatment of patients; failed to perform a legal obligation; failed to practice with that level of care, skill, and treatment recognized by a reasonable, prudent physician engaged in the same or similar specialty as being acceptable under similar conditions and circumstances; made untrue representations in the practice of medicine.

Board Action: License placed in a probationary status, effective November 20, 2001, for a period of three (3) years, subject to conditions, limitations, and restrictions.

HOOVER, KATHERINE ANNE, M.D. - Lost Creek, WV (11/09/01)

WV License No. 11571

Board Finding: Unprofessional and unethical conduct; exercised influence within a patient-physician relationship for the purpose of engaging a patient in sexual activity.

Board Action: License revoked, revocation immediately stayed, placed on probation for five (5) years, subject to conditions.

Court Action: By ORDER entered November 16, 2001, the Circuit Court of Harrison County granted Dr. Hoover's Motion for Stay of the Board's action during pendency of her appeal to the Circuit Court.

KORSTANJE, MARION C., M.D. - Huntington, WV (12/10/01)

WV License No. 8374

Board Finding: Renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

Board Action: License SUSPENDED effective December 14, 2001, suspension STAYED immediately, to comply with terms and conditions set forth in the Consent Order.

MAOUAD, MICHEL IBRAHIM, M.D. - West Amherst, NY (12/20/01)

WV License No. 14968

Board Finding: Relating to unprofessional conduct.

Board Action: The suspended license to practice medicine and surgery in the State of West Virginia of Dr. Maouad was SURRENDERED effective December 20, 2001, and Dr. Maouad agreed not to seek medical licensure in the State of West Virginia at any time in the future, and understands that if he should do so, such request will be denied.

MCVEY, JONATHAN TODD, D.P.M. - University Heights, OH (12/18/01)

WV License No. 366

Board Finding: May be professionally incompetent.

Board Action: Dr. McVey, having met the requirements for podiatry licensure in the State of West Virginia, was granted License No. 366 effective August 15, 2001, subject to limitations. By AMENDED CONSENT ORDER dated December 18, 2001, Dr. McVey was granted an extension of time until no later than December 31, 2001, for completion of the limitations placed upon his podiatry license by CONSENT ORDER entered August 14, 2001.

MERKIN, BRUCE JEFFREY, M.D. - Huntington, WV (11/13/01)

WV License No. 14492

Board Action: Medical license surrendered to the Board effective November 9, 2001.

RAYEVSKY, IGOR G., M.D. - Cherry Hill, NJ (11/08/01)

WV License No. 20705

Board Finding: Relating to having had a license suspended in another jurisdiction.

Board Action: Dr. Rayevsky, having met the requirements for licensure in the State of West Virginia, was licensed to practice medicine and surgery in the State of West Virginia effective November 8, 2001, to expire automatically effective December 31, 2001, unless he obtains 25 hours of continuing medical education satisfactory to the Board, in the subject of radiation oncology.

SIMKOVICH, VALERIE A., M.D. - Bethesda, MD (12/12/01)

WV License No. 19261

Board Finding: Relating to the issue of being able to practice medicine with reasonable skill and safety due to excessive use of alcohol or drugs.

Board Action: Dr. Simkovich, having met the requirements for medical licensure in the State of West Virginia, was licensed to practice medicine in the State of West Virginia, and was granted License No. 19261, effective December 15, 2001. Dr. Simkovich's medical license was immediately REVOKED, and said revocation was immediately STAYED, and Dr. Simkovich was placed on PROBATION for a period of two (2) years, subject to conditions, accommodations, and limitations.

WALL, WENDELL ALLAN, JR., M.D. - Wapheton, ND (10/05/01)

WV License No. 16352

Board Finding: Relating to unprofessional, unethical conduct, and having a license subjected to disciplinary action in another state.

Board Action: Publicly reprimanded for the actions which resulted in disciplinary action taken against him by the North Dakota State Board of Medical Examiners.

NOTICE RE: SUSPENSIONS FOR FAILURE TO SATISFY THE BOARD'S CONTINUING EDUCATION REQUIREMENT

In response to questions we have received, if your license is suspended for failure at license renewal time to timely certify that you have obtained required continuing education, this suspension is NOT a disciplinary action under West Virginia law.

???DID YOU KNOW???

Sometimes we get requests about what the West Virginia "Good Samaritan " law says. Here it is, found at West Virginia Code § 55-7-15:

Aid to victim of accident and victim of crime; immunity from civil liability.

No person, including a person licensed to practice medicine or dentistry, who in good faith renders emergency care at the scene of an accident or to a victim at the scene of a crime, without remuneration, shall be liable for any civil damages as the result of any act or omission in rendering such emergency care.

LICENSURE RENEWALS

In mid-May, 2002, licensure renewal applications will be mailed certified to all medical doctors whose last names begin with the letters A through L. Renewal applications will be mailed to the address of record on file at the Board offices. The address of record is the address designated by each physician as his or her preferred mailing address. It is the responsibility of the licensee to keep this office apprised of any address change. In the event of a change of address, the licensee must notify the Board of the change, in writing. (See Change of Address form on page 5.)

For a medical license to remain valid and in force, the fully completed renewal application and fee must be RECEIVED in the Board offices BEFORE Friday, June 28, 2002, at 5:00 p.m. The physician's medical license will be suspended if the required continuing medical education has not been obtained (see Board rule 11 CSR 6).

In order to avoid automatic suspension of a medical license, a physician must either complete the renewal application to renew the license or the one-page certification included in the renewal application packet to lapse/expire the license. This information must be completed and RECEIVED in the Board offices BEFORE Friday, June 28, 2002.

If a licensee does not receive a renewal application, it is his or her responsibility to inform the Board and to request a duplicate. Illegible and incomplete applications, as well as those received without the fee, will be returned. The Board will be unable to finalize the processing of any application that is not complete. Completion of the renewal application is the responsibility of the licensee. (Note changes in questions 14 and 15.)

Every application will be computer-generated to include personalized information previously reported by the physician. However, each physician will need to review this information to ensure that it remains accurate. Each physician MUST provide a telephone number. The Board anticipates that this method of renewal will reduce the time necessary for the physician to complete the application.

NEW STAFF MEMBER SUSAN K. CONNER

The Board is very pleased to welcome a new employee, Susan K. Conner, to its staff. Ms. Conner fills the part-time position of Complaint Committee counsel and will present cases at all disciplinary hearings as prosecutor. She replaces G. Wayne Van Bibber, who has moved on to other pursuits.

Ms. Conner received both her B.A. (with honors) and her M.A. from West Virginia University, and her J.D. from West Virginia University School of Law. She brings a wide variety of experience and talent to the Board, including four years of work for the West Virginia Legislature as counsel to committees in the Senate and the House, extensive mediation work, and ten years of solo private practice. She has served for nine years as a hearing examiner and post hearing consultant for the Board. The Board and the staff look forward to working with Ms. Conner in her new role.

REMINDER: TOLL FREE NUMBER FOR CONSUMER COMPLAINTS

The Board has a toll free number for callers within West Virginia who have consumer complaints against a M.D., D.P.M., or P.A.-C. The toll free number is 1-877-867-6411. For all matters other than consumer complaints, the Board's main number, 304-558-2921 must be used.

OBTAINING CONTINUING MEDICAL EDUCATION INCLUDING END-OF-LIFE CARE AND PAIN MANAGEMENT

To those of you concerned about how to fulfill the new requirement of obtaining continuing medical education in end-of-life care including pain management, the West Virginia University School of Medicine may be able to help. To obtain a listing of available continuing medical education programs offered through West Virginia University School of Medicine, call (304)293-3937, or visit the website at www.cme.wvu.edu

NEW OFFICE HOURS

Effective August 20, 2001, the West Virginia Board of Medicine instituted new office hours. The Board office is open from 8:30 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays. The Board's automated telephone system is still operational, so please do not hesitate to leave a message on an employee's voice mail, and your call will be handled promptly. Please refer to the list of Board employees and extension numbers in this Newsletter.

MEETINGS OF THE WEST VIRGINIA BOARD OF MEDICINE 2002

January 7

March 11

May 13

July 15

September 9

November 4

All meetings begin at 9:00 am

WV Board of Medicine



101 Dee Drive
Charleston, WV 25311
Phone: 304-558-2921
Fax: 304-558-2084

West Virginia Board of Medicine Board Members

Sarjit Singh, M.D., President Weirton	Leonard Simmons, D.P.M., Vice President Fairmont
Henry G. Taylor, M.D., M.P.H., Secretary Charleston	R. Curtis Arnold, D.P.M. South Charleston
Rev. Richard Bowyer Fairmont	Ahmed D. Faheem, M.D. Beckley
Angelo N. Georges, M.D. Wheeling	Ms. Doris M. Griffin Martinsburg
M. Khalid Hasan, M.D. Beckley	J. David Lynch, Jr., M.D. Morgantown
Carmen R. Rexrode, M.D. Moorefield	Lee Elliott Smith, M.D. Princeton
John A. Wade, Jr., M.D. Point Pleasant	Kenneth Dean Wright, P.A.-C. Huntington

Ext #	Staff of the West Virginia Board of Medicine (304) 558-2921	
227	Ronald D. Walton, M.A.	Executive Director
214	Deborah Lewis Rodecker, J.D.	Counsel
216	Susan K. Conner, J.D.	Prosecutor/Complaint Committee Counsel
212	M. Ellen Briggs	Administrative Secretary to the Executive Director
220	Becky Burgess	Fiscal Officer
222	Leslie A. Higginbotham	Paralegal and Investigator
215	Lynn Hill	Information Systems Coordinator
210	Charlotte A. Jewell	Receptionist/Physician Assistant Coordinator
213	Sherry M. Kelly	Complaints Coordinator
221	Crystal Lowe	Licensure Analyst
211	Janie Pote	Administrative Secretary to Legal Department
224	Tracy Ransom	Verification Clerk

NEWSLETTER VIA E-MAIL REQUEST FORM

- ☐ Yes, I would like to receive my newsletter via e-mail instead of U.S. mail
(Please check the box)

Name of Licensee: _____ **WV License No:** _____

E-mail Address: _____ **(i.e. user@domain.com)**

Signature: _____ **Date:** _____
Original Signature of Licensee is Required

CHANGE OF ADDRESS FORM

WV License No: _____ **Date of Change:** _____

Name of Licensee: _____

PLEASE CHECK ONLY ONE PREFERRED MAILING ADDRESS:

(The preferred mailing address is the licensee's address of record, which is public information.)

(Note that telephone numbers are not considered public information.)

() Principal Office or Work Location *ONLY CHECK ONE* () Home Address

Telephone: _____

Telephone: _____

Signature: _____

Date: _____

Original Signature of Licensee is Required

Mail completed form(s) to:

West Virginia Board of Medicine
101 Dee Drive · Charleston, WV 25311

Fax copies not accepted.

By law, you must keep this office apprised of any and all address changes